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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SPIEL-COMBOCON 2

First Inventor NORTON SPIEL
Title COMBINATION PLASTIC SPIRAL
FORMING MACHINE ETC.

Express Mail Label No. EV481574042US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 42]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 19]
5. Oath or Declaration [Total Sheets 61]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No. 10/215,656.

Prior application information: Examiner M. Henderson Art Unit: 3722

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number: 04988 OR Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	ALFRED M. WALKER	Registration No. (Attorney/Agent)	29,983
Signature	Alfred M. Walker		
	Date	APRIL 3, 2004	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Alfred M. Walker

Attorney at Law

Admitted to United States Patent Office and New York State Bar

April 21, 2004

225 Old Country Road
Melville, New York 11747-2712
Tel. No. (631) 361-8737
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e-mail: walkerip@optonline.net

Commissioner of Patents
Mail Stop Patent Applications
PO Box 1450
Alexandria VA 22313

Re: New Utility Patent Application
APPLICANT: Norton Spiel
FOR: COMBINATION PLASTIC SPIRAL FORMING MACHINE AND
SEMI-AUTOMATIC PLASTIC SPIRAL BINDING MACHINE

Dear Sir:

Enclosed please find continuation utility patent application including:

Specification, Claims, Abstract, Drawings 19 sheets, copy of Declaration,
Application transmittal form and Certificate of Mailing.

I also enclose a PTO 1449 Information Disclosure Statement. The items listed in bold face type were discovered after the Mailing of the Notice of Allowance on February 12, 2004 regarding Applicant's prior parent patent application filed under serial number 10/215,656 on August 10, 2002.

The documents listed in bold typeface are newly discovered references not cited in prior parent patent application 10/215,656, filed August 10, 2002. Copies of documents listed in bold print are supplied herein. Applicant requests that the Examiner obtain a copy of the earlier filed references from application serial number 10/215,656.

These newly cited references listed in bold print were first disclosed in an Official Action dated February 12, 2004 (7 pages) in the Canadian Patent Office, in Applicant's related Canadian Patent application no. 2,321,937 of Spiel Associates, Inc. "Combination Plastic Spiral Forming Machine and Semi-Automatic Plastic Spiral Binding Machine" and in a Protest of Applicant's Canadian patent application no. 2,321,937, filed dated January 19, 2004 in Canadian Intellectual Property Office, Ottawa, Canada. The protest was not disclosed to Applicant until after the above-noted Notice of Allowance dated February 12, 2004.

Copies of the Canadian Official Action and Protest filed in the Canadian Patent Office are enclosed herein.

Additionally, this matter is the subject of related litigation in the Eastern District of New York concerning Applicant's parent patent no. 6,547,502. A copy of the Summons is enclosed herein.

Please acknowledge receipt by returning the enclosed postcard.

Very truly yours,

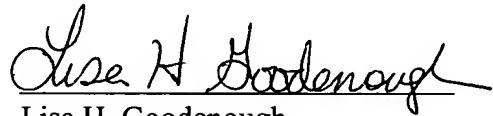


Alfred M. Walker

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #EV481574042US addressed to U.S. Patent and Trademark Office, Mail Stop Patent Applications, PO Box 1450, Alexandria VA 22313 on the date indicated below.

Date: April 21, 2004



Lisa H. Goodenough

Pat trans utility appl

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385)

Complete if Known

Application Number

Filing Date

First Named Inventor NORTON SPIEL

Examiner Name

Art Unit

Attorney Docket No. SPIEL-COMBO-CON 2

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

23-0120

ALFRED M. WALKER

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
	1001	770	2001	385	Utility filing fee
	1002	340	2002	170	Design filing fee
	1003	530	2003	265	Plant filing fee
	1004	770	2004	385	Reissue filing fee
	1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$ 385)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	20	-20** =	0 x 0 =	0
Independent Claims	3	- 3** =	0 x 0 =	0
Multiple Dependent			0 =	0

Large Entity	Small Entity	Fee Description
	Fee Code (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	ALFRED M. WALKER	Registration No. (Attorney/Agent)	29,983	Telephone	631-361-8737
Signature	<i>Alfred M. Walker</i>			Date	APRIL 27, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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